



ADMINISTRATIVE OFFICE
OF THE COURTS
455 Golden Gate Avenue
San Francisco, CA
94102-3688
Tel 415-865-4200
TDD 415-865-4272
Fax 415-865-4205
www.courtinfo.ca.gov

FACT SHEET

August 2007

The California Judicial Workload Assessment

The Administrative Office of the Courts (AOC) contracted with the National Center for State Courts (NCSC) in 2000 to measure the workload in California's trial courts and recommend a set of workload standards that would allow judges the time necessary to resolve disputes while complying with procedural, statutory, and constitutional requirements. The Judicial Workload Assessment Project involved the participation of 11 courts and over 300 judicial officers in an 18-month study of the time required by judicial officers to adjudicate 18 specific case types. A Workload Assessment Policy Committee, consisting of judges and court administrators, was formed to provide oversight and guidance throughout the study.

Statewide Need

Drawing on the data collected from a time study and follow-up validation research, the NCSC concluded that the California state trial courts needed over 350 new judicial officers, a deficit of about 18 percent. In 2004, using updated filings data, the AOC Office of Court Research determined that the statewide judicial need remained essentially unchanged. The most recent update of the assessment, conducted in 2007, showed a slight increase in statewide judicial workload.

In recognition of the financial constraints facing the state, the Judicial Council resolved to request only the 150 most urgently needed judgeships from the Legislature. Senate Bill 56 (Stats. 2006, ch. 390), approved by the Legislature in 2006, incorporated the findings from the Judicial Needs Assessment Project and authorized the creation of 50 additional judgeships. The legislation represents the first step in addressing the serious shortage of judges and guaranteeing the basic rights of all Californians.

How Does the Judicial Workload Assessment Work?

The judicial workload assessment process is based on a set of case weights (the judicial workload standards) that represent the average bench and nonbench time (in

minutes) required by judicial officers to resolve each case type. To arrive at the total judicial workload for each trial court, these workload standards are multiplied by the number of case filings.

The weighting of cases is critical because it reflects the fact that different types of filings require different amounts of judicial work. Accordingly, case weights ensure that cases involving a small amount of judge time, such as infractions and small claims, are not given the same value as cases that require a lot of judge time, such as juvenile dependency and felony cases. The total workload (measured in minutes) in a particular court is then divided by the amount of time each judicial officer has available to complete case-related work per year. This calculation provides an estimate of the number of judicial officers needed in every county and the state as a whole to resolve the cases filed.

Statewide Filings, Judicial Workload, and Judicial Need

Case Type	Filings*	Workload Standards (minutes)	Workload (minutes)	Assessed Judgeship Need
Auto PI	37,228	78.94	2,938,778	38
Other PI	25,543	390.41	9,972,048	129
Other Civil Complaints	121,593	70.00	8,511,499	110
Unlawful Detainer (Limited Civil)	186,286	16.20	3,017,826	39
Other Limited Civil	317,789	20.86	6,629,071	86
Lower Court Appeals	4,369	94.94	414,825	5
Habeas Criminal	7,118	36.60	260,525	3
Small Claims	285,520	14.80	4,225,696	55
Probate	50,920	51.68	2,631,554	34
Family Law	154,203	84.50	13,030,167	168
Juvenile Dependency	41,090	223.80	9,195,979	119
Juvenile Delinquency	97,437	59.85	5,831,584	75
Mental Health	13,045	148.00	1,930,635	25
Civil Petitions	321,320	70.00	22,492,400	291
Felony	274,141	197.00	54,005,842	698
Class A & C Misdemeanor	619,539	42.60	26,392,371	341
Class B & D Misdemeanor	661,679	4.53	2,997,406	39
Infractions	5,656,840	1.06	5,996,250	77
Total	8,875,659	1,607	180,489,164	2,332

*Three-year average filings from FY02-03 to FY04-05

The preceding table shows how the 18 case types used in the judicial workload assessment are weighted. The number of filings in each category is multiplied by the number of minutes required to process that type of filing (workload standards) to determine the workload in each case type. That workload is then divided by the number of minutes available to a judge for case processing in a year (77,400) to arrive at the assessed judgeship need.

How Are the Workload Standards Calculated?

To calculate the amount of time needed to process cases, the NCSC conducted a two-month time study in four courts representing small, medium, and large courts and accounting for 37 percent of the statewide caseload. Over 300 judicial officers in the Superior Courts of Butte, Los Angeles, Sacramento, and San Mateo Counties participated in the time study, recording the amount of time spent on the bench, off the bench, in prejudgment work, in the courtroom, and in postjudgment work.

A follow-up review and validation of the workload standards was conducted in seven additional representative courts. Combined, the Superior Courts of Del Norte, Merced, Orange, Santa Clara, Sutter, and Ventura Counties process about 20 percent of the statewide caseload. Using the workload standards, the NCSC determined in 2000 that California needed 2,269 judges to resolve disputes in a timely manner while complying with procedural, statutory, and constitutional obligations.

How Is the Need for New Judgeships Prioritized?

The ranking methodology evaluates both the absolute and the relative need for judges in the courts. For example, the assessment takes into account the number of judges that each court needs compared to other courts—the absolute need. But in a small court, a need for even one judge can represent a significant reduction in its ability to serve justice. Thus, need expressed as a percentage of the number of judges a court already has—relative need—is also taken into account. For example, in a two-judge court, a need for even one additional judge would represent a relative need of 50 percent, while in Los Angeles the need for a single additional judge would represent a relative need of a fraction of one percent.

Under the workload assessment model, the first new judgeship is assigned to the court with the greatest absolute and relative need. The second judgeship is then assigned in the same manner after taking into account that the first judgeship has already been allocated. The model continues through this process, continually re-ranking the courts based on new information provided by the previous ranking and allocation. This method is based in part on the equal proportions method, which has been used by other states in their assessment of judicial needs and is also used by the U.S. Congress to determine how a fixed number of seats should be assigned in the House of Representatives after a new census is taken.

The California Judicial Workload Assessment

Page 4 of 4

Additional Information:

www.courtinfo.ca.gov/reference/documents/stateassess.pdf

www.courtinfo.ca.gov/jc/documents/reports/0804item6.pdf

www.courtinfo.ca.gov/jc/documents/reports/022307item9.pdf

www.census.gov/population/www/censusdata/apportionment/calculated.html

Contact:

Ron Pi, Supervising Research Analyst, Office of Court Research, Executive Office
Programs Division, ron.pi@jud.ca.gov